


So Ordered.



  
Whitman L. Holt  
Bankruptcy Judge

Dated: May 13th, 2021

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF WASHINGTON

In re

KING MOUNTAIN TOBACCO  
COMPANY, INC.,

Debtor.

No. 20-01808-WLH11

**ORDER (i) AUTHORIZING REJECTION  
OF CERTAIN NON-RESIDENTIAL REAL  
PROPERTY ORAL LEASES; AND (ii)  
APPROVING LEASE OF IRRIGATION  
SYSTEM AND EQUIPMENT**

Upon the *Debtor's Motion for Order (i) Authorizing Rejection of Certain Non-Residential Real Property Oral Leases; and (ii) Approving Lease of Irrigation System and Equipment* [Docket No. 252] (the "Motion"), filed by King Mountain Tobacco Company, Inc. ("Debtor"), debtor and debtor-in-possession herein; and it appearing that the relief requested is in the best interests of the Debtor's estate and creditors; and it appearing that this court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334; and it appearing that this proceeding is a core proceeding pursuant to 28 U.S.C. § 157(b); and adequate notice of the Motion having been given; and after due deliberation and sufficient cause appearing therefor; it is hereby

ORDER (i) AUTHORIZING REJECTION OF CERTAIN NON-RESIDENTIAL REAL PROPERTY ORAL LEASES; AND (ii) APPROVING LEASE OF IRRIGATION SYSTEM AND EQUIPMENT – Page 1

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**ORDERED as follows:**

1. The Motion [ECF No. 252] is GRANTED.

2. The Debtor is authorized to enter into the Irrigation Lease, effective April 30, 2021, attached as Exhibit A to the Thompson Declaration.

3. To the extent that any oral Leases exist as referenced, but not fully described, in the Irrigation Lease, they are rejected effective as of April 30, 2021. Nothing in this Order constitutes a finding or conclusion as to whether any oral Lease exists or is valid or contains any particular terms, and no party shall be bound or prejudiced by entry of this Order with respect to any claim asserted in connection with any Lease or any defenses or opposition thereto.

4. The Debtor shall serve this Order on the counterparties to the Irrigation Lease and the oral Leases within three (3) business days of the entry of this Order.

5. The court shall retain jurisdiction to hear and determine all matters arising from or relating to the implementation of this Order.

6. Notwithstanding the possible applicability of Bankruptcy Rules 6004(h), 7062, or 9014, or otherwise, the terms and conditions of this Order shall be immediately effective and enforceable upon its entry.

/// END OF ORDER ///

Presented by:

BUSH KORNFELD LLP

/s/ Richard B. Keeton

James L. Day, WA Bar No. 20474

Richard B. Keeton, WA Bar No. 51537

*Attorneys for the Debtor and Debtor-in-Possession*

1 Approved as to form and content; presentment waived:

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5 /s/ Marissa D. Embola

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8 Marissa D. Embola

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11 *Attorneys for the United States of America*

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